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TO: Commissioner for Patents
Attn: Examiner Vincent F. Boccio
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Alexandria, VA 22313-1450

FROM: George H. Gates
OUR REF.: ST9-99-180
TELEPHONE: (310) 642-4146

Total pages, including cover letter: 5

PTO FAX NUMBER: (703) 872-9306

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Title of Document Transmitted:	RESPONSE TO RESTRICTION REQUIREMENT.
Applicant:	William R. Belknap
Serial No.:	09/709,095
Filed:	November 10, 2000
Group Art Unit:	2616
Title:	SCENE CHANGE MARKING FOR THUMBNAIL EXTRACTION
Our Ref. No.:	ST9-99-180

Please charge all fees to Deposit Account No. 09-0460 of IBM Corporation, the assignee of the present application.

By: 

Name: George H. Gates
Reg. No.: 33,500

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Signature

4/1/05
Date

Confirmation No.: 2856
Duc Date: April 3, 2005IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	William Russell Belknap	Examiner:	Not yet assigned
Serial No.:	09/709,095	Group Art Unit:	2176
Filed:	November 10, 2000	Docket:	ST9-99-180
Title:	SCENE CHANGE MARKING FOR THUMBNAIL EXTRACTION		

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Name: George H. GatesMAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing or Transmission under 37 CFR 1.8.
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Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Please charge all fees to Deposit Account No. 09-0460 of IBM Corporation, the assignee of the present application. A duplicate of this paper is enclosed.

Customer Number 22462
GATES & COOPER LLP
Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, CA 90045
(310) 641-8797

By: [Signature]
Name: George H. Gates
Reg. No.: 33,500
GHG/sjm

Confirmation No.: 2836

Due Date: April 3, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William Russell Belknap Examiner: Not yet assigned
Serial No.: 09/709,095 Group Art Unit: 2176
Filed: November 10, 2000 Docket: ST9-99-180
Title: SCENE CHANGE MARKING FOR THUMBNAIL EXTRACTION

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By: George H. Gates
Name: George H. Gates

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Commissioner for Patents

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Alexandria, VA 22313-1450

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RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Office Action dated March 3, 2005, stated that the Office had decided that the application contains the following patentably distinct species:

Species I: Fig. 3,

Species II: Fig. 4,

Species III: Fig. 5.

In response, Applicant's attorney elects Species I. However, Applicant's attorney does so with traverse. Applicant's attorney disputes the assertion by the Office that the identified species involve separate and distinct inventions. Instead, Applicants' attorney asserts that claims 1-45 are generic, and that claims 1-45 all read upon Figs. 3, 4 and 5. Consequently, to satisfy the requirements of the Office Action, Applicant's attorney elects claims 1-45 under Species I.

Applicant's attorney respectfully requests the Examiner reconsider and withdraw the restriction requirement. It is also submitted that this application is now in good order for allowance and such allowance is respectfully solicited.


Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's attorney.

Respectfully submitted,

GATES & COOPER LLP
Attorneys for Applicant

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GHG/